



Chairperson: Bob Wyatt, NW Natural
Treasurer: Frederick Wolf, DBA, Legacy Site Services for Arkema

Via E-mail & Hand Delivery

September 11, 2014

Richard Albright, ECL Director
United States Environmental Protection Agency, Region 10
Office of Environmental Cleanup, Mail Code ECL-117
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

**Re: Request for Dispute Resolution of EPA's Notice of Decisions on Background
Regarding Section 7 of the Remedial Investigation (Lower Willamette River, Portland
Harbor Superfund Site, USEPA Docket No: CERCLA-10-2001-0240)**

Dear Mr. Albright:

The Lower Willamette Group ("LWG") understands that the U.S. Environmental Protection Agency ("EPA") intends to provide a written response to the LWG's August 26, 2014 request for resolution of the dispute concerning the methods by which EPA defined background in Section 7 of the Remedial Investigation for the Portland Harbor Superfund Site on or before October 3, 2014. The issues involved in this dispute are technically complex, and your resolution of the dispute will be significant for the project. Accordingly, the LWG respectfully requests the opportunity to provide a written reply to the EPA's response, which it will submit within 10 days of receipt of EPA's written response. The LWG is amenable to a reasonable page limit on its reply. The LWG also requests the opportunity for its technical consultants and your staff to present their respective positions to you in person.

The process sought by the LWG is consistent with Section XVIII of the Administrative Order on Consent for Remedial Investigation / Feasibility Study, U.S. EPA Docket No. CERCLA-10-2001-0240 (the "AOC"). It is also consistent with the process the LWG and EPA used during the only other technical dispute that the LWG initiated under the AOC, which related to the Baseline Human Health Risk Assessment. The LWG believes that following this process again will best enable both it and EPA to articulate their respective positions on the issues in dispute, and will maximize the efficiency of the dispute resolution process.

Sincerely,

A handwritten signature in blue ink, appearing to be "F. Wolf", is written over a horizontal line.

The Lower Willamette Group

421 SW Sixth Avenue, Suite 750, Portland OR 97204

USEPA SF



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cc:

Lori Cohen, EPA Region 10 Associate Director, Office of Environmental Cleanup
Deborah Yamamoto, EPA Region 10 Office of Environmental Cleanup
Kristine Koch, EPA Region 10 Office of Environmental Cleanup
Sean Sheldrake, EPA Region 10 Office of Environmental Cleanup
Lori Cora, EPA Region 10 Assistant Regional Counsel
Jim Woolford, EPA Headquarters
Barry Nussbaum, EPA Headquarters
Confederated Tribes and Bands of the Yakama Nation (via EPA Shared Server)
Confederated Tribes of the Grand Ronde Community of Oregon (via EPA Shared Server)
Confederated Tribes of Siletz Indians of Oregon (via EPA Shared Server)
Confederated Tribes of the Umatilla Indian Reservation (via EPA Shared Server)
Confederated Tribes of the Warm Springs Reservation of Oregon (via EPA Shared Server)
Nez Perce Tribe (via EPA Shared Server)
Oregon Department of Fish & Wildlife (via EPA Shared Server)
United States Fish & Wildlife (via EPA Shared Server)
Oregon Department of Environmental Quality (via EPA Shared Server)
LWG Legal
LWG Repository